

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-6 are pending in the application, with claims 1 and 6 being the independent claims. Claims 1 and 6 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

***Rejections under 35 U.S.C. § 102***

The Examiner has rejected claims 1, 2, 4 and 5 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,674,403 to Gray *et al.* ("Gray"). Based on the foregoing amendment and for the reasons set forth below, Applicant respectfully traverses.

Independent claim 1, as presently amended, is directed to a method that includes the steps of:

receiving information from each of a plurality of repeaters indicating which of a plurality of packets wirelessly transmitted by a mobile station were received by each repeater and a signal strength at which each of the wirelessly transmitted packets was received;

identifying an individual one of the plurality of wirelessly transmitted packets that was received by each of the plurality of the repeaters; and

determining a location of the mobile station with respect to the plurality of repeaters based on comparing one to the other the signal strengths at which the individual packet was received at each of the plurality of repeaters.

Gray does not teach or suggest each and every of the foregoing features of independent claim 1. Gray is directed to a system and method for performing real-time position detection and motion tracking of mobile communications devices moving about in a defined space. In particular, Gray teaches performing a communications signal strength survey of a defined space to create a complex "statistical signal strength model". This model correlates communications signals strengths obtained during the survey with locales in the defined space. Later, during active use of the system, communications signal strength readings are provided for the mobile communications device and compared against the known statistical signal strength model. Based on this comparison, a real-time location of the mobile communications device within the defined space is determined. Single or multiple access points may be used to obtain the signal strength readings.

In contrast to Gray, the present invention does not compare signal strength readings to a statistical signal strength model to determine the location of a mobile communications device. Rather, as recited in independent claim 1, the present invention first identifies an individual packet that was wirelessly transmitted by a mobile station and received by each of a plurality of repeaters and then compares one to the other the signal strengths at which the individual packet was received at each of the plurality of repeaters in order to determine the location of the mobile station. As more fully explained in the specification of the present application:

Figure 5A illustrates one technique for location tracking by RSSI. Referring to Figure 5A, switch 301 obtains the RSSI for each packet received by the repeaters and may have multiple RSSI values for a packet when that packet is received by two or more different repeaters. More specifically, a mobile station communicates with two (or more) repeaters and one repeater is going to have a stronger received signal strength than

the other for the same packet. Based on this information, switch 301 is able to determine that a mobile station is closer to one repeater than the other. By continually monitoring the received signal strength, switch 301 can track the movement of a mobile station with respect to the repeaters.

*See Specification at paragraph [0069].*

This is quite different from Gray, which *never* compares signal strength readings corresponding to an individual packet but obtained from different access points to each other. Instead, in Gray, signal strength information provided by one or more access points is compared to a statistical signal strength model to determine the location of a mobile communications device.

Because Gray does not teach or suggest each and every feature of claim 1, it cannot anticipate that claim. Likewise, Gray does not anticipate claims 2, 4 and 5 for the same reasons as claim 1 from which they depend and further in view of their own respective features. Accordingly, Applicants respectfully request that the rejection of claims 1, 2, 4 and 5 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

#### ***Rejections under 35 U.S.C. § 103***

The Examiner has rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Gray in view of U.S. Patent Application Publication No. 2001/0024953 to Balogh ("Balogh") and further in view of U.S. Patent Application Publication No. 2003/0120801 to Keever *et al.* ("Keever").

As set forth above, Gray does not teach or suggest every feature of independent claim 1. For example, Gray does not teach or suggest identifying an individual packet that was wirelessly transmitted by a mobile station and received by each of a plurality of repeaters and then comparing one to the other the signal strengths at which the individual

packet was received at each of the plurality of repeaters in order to determine the location of the mobile station. Neither Balogh nor Keever provide the missing teaching. Consequently, the combination of Gray, Balogh and Keever does not render claim 1 obvious. Likewise, claim 3 is not rendered obvious by this combination for the same reason as independent claim 1 from which it depends and further in view of its own respective features.

The Examiner has rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Gray in view of Keever.

Claim 6, as presently amended, is directed to a system that includes:

a mobile station having a transmitter to transmit packets wirelessly;

a plurality of repeaters communicably coupled with the mobile station, wherein each of the plurality of repeaters receives one or more of a plurality of wirelessly transmitted packets from the mobile station and forwards received packets with corresponding received signal strength indicators; and

a switch coupled to the plurality of repeaters to receive forwarded packets from each of the plurality of repeaters and to perform location tracking of the mobile stations based on an identification of an individual one of the plurality of wirelessly transmitted packets that was received by each of the plurality of repeaters and a comparison one to the other of the received signal strength indicators associated with the individual packet.

For reasons set forth above with respect to claim 1, Gray does not teach or suggest a switch that performs location tracking of mobile stations "based on an identification of an individual one of the plurality of wirelessly transmitted packets that was received by each of the plurality of repeaters and a comparison one to the other of the received signal strength indicators associated with the individual packet" as recited in claim 6. Keever does not provide the missing teaching. Consequently, the combination of Gray and Keever does not render obvious claim 6.

Based on the foregoing, Applicants respectfully request that the rejection of claims 3 and 6 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

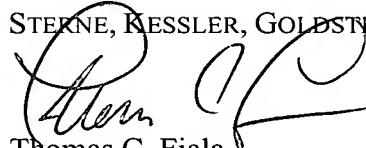
***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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